

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

|                                     |   |                        |
|-------------------------------------|---|------------------------|
| RACHEL RAMSBOTTOM, and              | ) |                        |
| ALEXIS BOWLING,                     | ) |                        |
| JENNA HOUSTON,                      | ) |                        |
| JANE DOE #1,                        | ) |                        |
|                                     | ) |                        |
| Plaintiffs,                         | ) |                        |
|                                     | ) |                        |
| v.                                  | ) | CASE NO. 3:21-CV-00272 |
|                                     | ) |                        |
| LORIN ASHTON, AMORPHOUS             | ) | JURY TRIAL DEMANDED    |
| MUSIC, INC., BASSNECTAR             | ) |                        |
| TOURING, INC., C3 PRESENTS, L.L.C., | ) |                        |
| INTERACTIVE GIVING FUND,            | ) |                        |
| GNARLOS INDUSTRIES, LLC,            | ) | JUDGE ALETA A. TRAUGER |
| CARLOS DONAHUE,                     | ) |                        |
| ABC CORPORATIONS, ONE               | ) |                        |
| THROUGH                             | ) |                        |
| TEN (said Names Being Fictitious),  | ) |                        |
| JOHN DOES, ONE THROUGH TEN          | ) |                        |
| (said Names Being Fictitious),      | ) |                        |
|                                     | ) |                        |
| Defendants.                         | ) |                        |
|                                     | ) |                        |

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**DEFENDANT INTERACTIVE GIVING FUND'S RESPONSE IN SUPPORT OF  
DEFENDANTS LORIN ASHTON, AMORPHOUS MUSIC, INC., AND BASSNECTAR  
TOURING, INC.'S MOTION TO RECONSIDER ORDER GRANTING PLAINTIFF  
JANE DOE #1'S MOTION FOR LEAVE TO PROCEED UNDER PSEUDONYM AND  
FOR PROTECTIVE ORDER**

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Defendant Interactive Giving Fund (hereinafter “IGF”), by and through its attorneys, files this *Response in Support* of Defendants Lorin Ashton, Amorphous Music, Inc., and Bassnectar Touring, Inc.’s (hereinafter “co-defendants”) Motion to Reconsider the Order Granting the Motion for Leave to Proceed Under Pseudonym and for Protective Order (D.E. 26), pursuant to Local Rule 7.01(b).

IGF fully supports co-defendants' motion in that the complaint "must name all the parties..." (Fed. R. Civ. P. 10(a)). Additionally, IGF supports co-defendants' position that proceeding under a pseudonym is the exception and not the rule (*See Citizens for a Strong Ohio v. Marsh*, 123 Fed. Appx. 630, 636 (6th Cir. 2005) (holding that as a general rule a complaint must state the names of the parties and that a plaintiff may only proceed under a pseudonym under certain circumstances that justify and exception), citing *Doe v. Porter*, 370 F.3d 558, 560 (6<sup>th</sup> Cir. 2004)). In order for a plaintiff to proceed pseudonymously, a plaintiff must demonstrate their interest in privacy substantially outweighs the presumption in favor of open judicial proceedings (*Doe v. Porter*, 370 F.3d 558, 560 (6th Cir. 2004)).

IGF hereby incorporates by reference co-defendants' argument from Section II(A) in their Memorandum of Law in Support of Motion to Reconsider Order Granting Motion for Leave to Proceed Under Pseudonym and for Protective Order (D.E. 27). IGF is of the same opinion that allowing Plaintiff Doe to proceed under a pseudonym would prejudice all of the Defendants.

As stated by co-defendants, in their motion to reconsider, because the Plaintiff has failed to meet their burden outlined by the Sixth Circuit case law, IGF respectfully joins the co-defendants' request that the Court reconsider its order (D.E. 25) granting Plaintiffs' Motion for Leave to Proceed in Pseudonym.

Respectfully submitted,

*/s/Bennett J. Wills*

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*Counsel for IGF*

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12 day of May 2021, a copy of the foregoing Defendant Interactive Giving Fund's Response in Support of Defendants Lorin Ashton, Amorphous Music, Inc., and Bassnectar Touring, Inc.'s Motion to Reconsider Order Granting Plaintiff Jane Doe #1's Motion for Leave to Proceed Under Pseudonym and for Protective Order on the following parties via the Court's CM/ECF system or as otherwise noted below:

|  |   |
|--|---|
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/s/Bennett J. Wills

Bennett J. Wills